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May 5, 2022

VIA ECF

Hon. Valerie Figueredo
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Re: MDL No. 2859, 1:18-md-2859-PAC – Joint Letter Reporting Settlement Program

Dear Magistrate Judge Valerie Figueredo:

At the request of your Honor, the parties in MDL No. 2859 jointly provide an update on global settlement efforts in this litigation. (See Dkt. 580 in 1:18-md-02859-PAC.)

After extended negotiations over the past several months, the parties have executed a Master Settlement Agreement that creates a closed, confidential settlement program that, if successful, would resolve nearly the entirety of lawsuits in MDL No. 2859. The settlement program will take several months to administer. To allow the parties to implement and administer the settlement program, the Court entered Order No. 66 on May 3, 2022. (Order No. 66, attached as Exhibit A, Dkt. 581 in 1:18-md-02859-PAC.) Order No. 66 provides that all consolidated proceedings, as well as proceedings in individual cases consolidated in MDL No. 2859, are stayed pending the outcome of the settlement program. The stay will remain in effect until the parties advise the Court that the conditions for consummation of the settlement have been met and payment by Zimmer in cases in the settlement program has occurred, or that conditions have not been met and the settlement program has concluded.

Under Order No. 66, the Plaintiffs' Executive Committee and counsel for Zimmer shall provide status updates to chambers on the progress of the settlement program on July 15, 2022 and October 31, 2022. The parties will include Your Honor on these updates. Please let us know if Your Honor requires further information.

Respectfully submitted,

s/ Michael J. Kanute s/ Peter A. Meyer s/ J. Stephen Bennett s/ Andrew Jay Peck

Counsel for the Zimmer Defendants

s/ Kelly K. McNabb s/ Ashleigh Raso s/ Kevin M. Fitzgerald s/ Andrew Norden

Plaintiffs' Executive Committee